

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

SHIRLEY THEREASA SHERROD MD PC

Debtor

CASE NO: 19-05309-JW

(CHAPTER 13)

NOTICE OF MOTION TO DISMISS CHAPTER 13 CASE AND NOTICE OF HEARING

James M. Wyman, the Chapter 13 Trustee, has filed papers with the court to dismiss this Chapter 13 case .

Your rights may be affected. You should read these papers carefully and discuss them with your attorney , if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to dismiss this Chapter 13 case , or if you want the court to consider your views on the motion to dismiss, then on or before fourteen (14) days from the date of service, you or your attorney must:

File with the court a written response explaining your position at:

U.S. Bankruptcy Courthouse
J. Bratton Davis
1100 Laurel Street
Columbia, SC 29201-2423

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also send a copy to:

James M. Wyman
Office of the Chapter 13 Trustee
P.O. Box 997
Mt. Pleasant, SC 29465-0997

A hearing will be held on November 13, 2019 at 10:00 am at 145 King Street, Room 225, Charleston, SC 29401.

If you (or your attorney, if you obtain one) do not meet all of the above requirements, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief after the above deadline, but before the hearing.

Dated: October 23, 2019

/s/Russell Jackson, II

PO Box 997

Mt. Pleasant, SC 29465-0997

Phone: (843) 388-9844

Fax: (843) 388-9877

Email: 13office@charleston13.com

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

IN RE:

SHIRLEY THEREASA SHERROD MD PC

Debtor

CASE NO: 19-05309-JW

(CHAPTER 13)

MOTION TO DISMISS CASE

The Trustee hereby requests the dismissal of the above case for the following reason(s):

1. The following documents were due October 22, 2019, and were not timely filed: Summary of Assets and Liabilities; Schedule A/B; Schedule C; Schedule D; Schedule E/F; Schedule G; Schedule H; Schedule I; Schedule J; Statement of Financial Affairs; Chapter 13 Statement of Income/Calculation; Copies of Payment Advices; Statement of Increase Income/Expenses; Chapter 13 Plan.
2. The Voluntary Petition was filed under the name "SHIRLEY THEREASA SHERROD MD PC." Trustee is informed and believes that the "PC" was added to assert that the Debtor in bankruptcy is the Debtor's Professional Corporation. Pursuant to 11 U.S.C. §109(e), only an individual is permitted to be a debtor under Chapter 13.

Trustee asserts that the failure to file all documents timely constitutes cause to dismiss the case, and caused delay which is prejudicial to creditors.

WHEREFORE, Trustee requests an Order dismissing the case.

If for any reason the case is NOT dismissed pursuant to this motion, Trustee requests an Order which finds that the only debtor in the case is the individual SHIRLEY THEREASA SHERROD, and not the Professional Corporation.

Dated: October 23, 2019

/s/James M. Wyman

James M. Wyman

Chapter 13 Trustee

PO Box 997

Mt. Pleasant, SC 29465-0997

Phone: (843) 388-9844

Fax: (843) 388-9877

Email: 13office@charleston13.com

19-05309-JW

CERTIFICATE OF SERVICE

The undersigned states that he/she served the Trustee's Motion to Dismiss on the on the parties listed below by mailing to them, on this date, copies of the motion, first class, postage prepaid, and addressed as follows:

SHIRLEY THEREASA SHERROD MD PC
PO BOX 809
CHARLESTON, SC 29455

PRO SE
*

Date: October 23, 2019

/s/Russell Jackson, II

PO Box 997

Mt. Pleasant, SC 29465-0997

Phone: (843) 388-9844

Fax: (843) 388-9877

Email: 13office@charleston13.com